



# City of Littleton

Littleton Center  
2255 West Berry Avenue  
Littleton, CO 80120

## Meeting Minutes - Draft

### Licensing Authority

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Wednesday, February 7, 2018

6:30 PM

Council Chamber

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#### Regular Meeting

#### 1. Roll Call

**Present:** 5 - Michael Buchanan, Timothy LeVier, Kenneth Shock, Michael Day and Jerome Wiencek

**Absent:** 2 - Andrew Cole and Peter Webb

#### 2. Pledge of Allegiance

#### 3. Approval of the Agenda

#### 4. Approval of the Minutes

- a) [ID# 18-032](#) Certification of the January 10, 2018 regular meeting minutes

**Authority Member Buchanan moved and Vice Chair LeVier seconded to approve the minutes from the January 10, 2018 regular meeting of the Littleton Licensing Authority. The vote is 5-0. The motion carries unanimously.**

**Aye:** 5 - Authority Member Buchanan, Vice Chair LeVier, Authority Member Shock, Authority Member Day and Authority Member Wiencek

**Absent:** 2 - Chairman Cole and Authority Member Webb

#### 5. Public Comment

#### 6. Liquor License Application Hearings

##### **I. New Application**

- a) [LA Resolution 02-2018](#) Resolution to approve a liquor license application for Roots Colorado Inc., d/b/a Dirt Coffee, 5767 S. Rapp Street, Littleton, Colorado

**Authority Member Shock moved and Vice Chair LeVier seconded that the public hearing be closed and that a resolution of the Littleton Licensing Authority be approved which grants Roots Colorado Inc., d/b/a Dirt Coffee, 5767 S. Rapp Street, Littleton, Colorado, a Beer & Wine liquor license contingent upon approval by the Colorado Liquor Enforcement Division and based upon the following findings of fact: (1) that notice of the hearing was properly posted and published; (2) that the applicant has possession of the premises and the premises**

are suitable for the requested license; (3) that the needs of the neighborhood are not now being met; (4) that it is the desire of the adult inhabitants of the neighborhood that the license be issued; (5) that existing similar liquor licenses in the designated neighborhood are not adequate; and (6) that the applicant is of good moral character, record and reputation. The vote is 5-0. The motion carries unanimously.

**Aye:** 5 - Authority Member Buchanan, Vice Chair LeVier, Authority Member Shock, Authority Member Day and Authority Member Wiencek

**Absent:** 2 - Chairman Cole and Authority Member Webb

- b) [LA Resolution 10-2018](#) Resolution to approve a liquor license application for Lights Out! LLC, d/b/a Lights Out!, 1500 W. Littleton Blvd. Unit 110 C-D, Littleton, Colorado

Authority Member Wiencek moved and Authority Member Buchanan seconded that the public hearing be closed and that a resolution of the Littleton Licensing Authority be approved which grants Lights Out!, LLC, Lights Out!, 1500 W. Littleton Blvd., Unit 110 C-D, Littleton, Colorado, a Beer & Wine liquor license contingent upon approval by the Colorado Liquor Enforcement Division and based upon the following findings of fact: (1) that notice of the hearing was properly posted and published; (2) that the applicant has possession of the premises and the premises are suitable for the requested license; (3) that the needs of the neighborhood are not now being met; (4) that it is the desire of the adult inhabitants of the neighborhood that the license be issued; (5) that existing similar liquor licenses in the designated neighborhood are not adequate; and (6) that the applicant is of good moral character, record and reputation. The vote is 5-0. The motion carries unanimously.

**Aye:** 5 - Authority Member Buchanan, Vice Chair LeVier, Authority Member Shock, Authority Member Day and Authority Member Wiencek

**Absent:** 2 - Chairman Cole and Authority Member Webb

## II. Schedule Renewal Application for Hearing

## III. Transfer Application

### 7. Consideration of Disciplinary Action on a Liquor License

#### I. Renewal Hearing

#### II. Probable Cause

- a) [LA# 18-003](#) Determine if probable cause exists to set show cause hearing - The Shack JDR Restaurant and Bar Group, d/b/a The Shack, 151 W. Mineral Avenue, Littleton, Colorado

Vice Chair LeVier moved and Authority Member Day seconded to find that there is probable cause to believe that The Shack JDR Restaurant and Bar Group, d/b/a The Shack, 151 W. Mineral Avenue, Colorado, on October 14, 2017 did violate the Colorado Liquor Code and Littleton City Code and, based on said findings, that a public hearing be set for April 11, 2018, for the purpose of considering the status

of said license, wherein the above-mentioned licensee may be present to show cause, if any, why its license should not be suspended or revoked, and further that notice of these findings and the hearing to show cause shall be forwarded and served to The Shack JDR Restaurant and Bar Group, d/b/a The Shack, 151 W. Mineral Avenue, Littleton, Colorado, in accordance with the provisions of state law. I move that a preliminary hearing, if necessary, be set for the 14th day of March, 2018, for the purpose of considering a possible stipulation, if any, between the licensee and the City of Littleton. The vote is 4-1 with Authority Member Shock voting no. The motion carries.

**Aye:** 4 - Authority Member Buchanan, Vice Chair LeVier, Authority Member Day and Authority Member Wiencek

**Nay:** 1 - Authority Member Shock

**Absent:** 2 - Chairman Cole and Authority Member Webb

### III. Preliminary Hearing

### IV. Show Cause

### 8. Medical Marijuana Application Hearings

- a) [LA Resolution 01-2018](#) Conduct public hearing for a medical marijuana center license for Ascend Littleton, LLC, d/b/a Ascend Cannabis Co., 5231 S Santa Fe Drive, Littleton, Colorado

Vice Chair LeVier moved and Authority Member Wiencek seconded to close the public hearing and approve a resolution of the Littleton Licensing Authority which grants Ascend Littleton, LLC, d/b/a Ascend Cannabis Co., 5231 S Santa Fe Drive, Littleton, Colorado, a medical marijuana center license contingent upon relinquishment of the medical marijuana center license currently held by The Green Solution and receipt and approval of reports from the Colorado Bureau of Investigation and approval by the Colorado Medical Marijuana Enforcement Division. The license approval is based upon the following findings of fact: (1) notice of the hearing was properly posted and published; (2) the application is complete and signed by the applicant; (3) the applicant has paid the application fee and any other fees required; (4) the application does not contain a material falsehood or misrepresentation; (5) the application complies with all of the requirements of title 3, chapter 20; (6) the applicant, any person with an ownership interest of five percent (5%) or greater or any manager have not previously been convicted of a felony violation; and (7) the proposed location of the medical marijuana center is permitted in that the building is not located within any distance restrictions established by City Code. The vote is 5-0. The motion carries unanimously.

**Aye:** 5 - Authority Member Buchanan, Vice Chair LeVier, Authority Member Shock, Authority Member Day and Authority Member Wiencek

**Absent:** 2 - Chairman Cole and Authority Member Webb

### 9. Consideration of Disciplinary Action on an MMC License

#### I. Probable Cause

## **II. Preliminary Hearing**

## **III. Show Cause**

### **10. Reports**

- a. Staff
- b. Authority Members
- c. Authority Chair

### **Adjournment**

Vice Chair LeVier adjourned the meeting at 7:52 p.m.